

Docket No. DEP5249

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|----------------|
| Inventor: | Sutton | Group Art Unit: | 3738 |
| Serial No.: | 10/826,186 | Examiner: | Blanco, Javier |
| Filed: | April 16, 2004 | | |
| Title: | Adjustable Intervertebral Disc Prosthesis | | |

CERTIFICATE OF MAILING

I, Amy Pelletier, hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on February 9, 2007.

/Amy Pelletier/ (signature)
Amy Pelletier

Thomas M. DiMauro (name of Registered Representative)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Sir:

In response to the restriction requirement set forth in the Office Action of January 11, 2007, Applicants respectfully request reconsideration of the above-captioned patent application in view of the following election, amendment and remarks:

Amendments to the Claims are reflected in the listing of the claims which begins at page 2 of this paper.

Remarks begin at page 15 of this paper.